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C O N F I D E N T I A L SECTION 01 OF 02 ABUJA 000683

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SUBJECT: THIRD TERM EFFORTS CLOUD ELECTION CREDIBILITY

REF: A. ABUJA 662

[B](#). ABUJA 431

[C](#). ABUJA 78

Classified By: Ambassador John Campbell for reason 1.4 (b) and (d)

[1](#)1. (C) Summary. American democracy organizations based in Nigeria believe that the credibility of the 2007 elections is negatively affected by President Obasanjo's attempt to amend the constitution to allow him to serve a third term. The preparations for elections are desperately behind schedule and there is growing concern about the intentions and capacity of the Independent National Elections Commission (INEC). This has led to the consensus perception among American democracy groups that a third term bid by President Obasanjo may preclude free and fair elections in 2007.

[1](#)2. (U) At the March 20 democracy and elections working group meeting hosted by the Ambassador and attended by representatives of the International Republican Institute (IRI), the National Democratic Institute (NDI), USAID, and the International Foundation for Election Systems (IFES), there was a general consensus that President Obasanjo's attempt to extend his stay in office has had negative short and long term consequences for the upcoming Nigerian elections.

[1](#)3. (U) Representatives of the democracy groups agreed that the pre-electoral environment was a cause for concern. Security was an issue in many parts of the country, with demonstrations against a third term all but banned. There was also a sense from NDI and IRI that the lack of political space was causing a deep sense of discontent among their interlocutors in the political class. In addition, according to the IFES representative, preparation for the most basic tasks including voter registration and the passage of the new electoral bill were desperately behind schedule.

[1](#)4. (C) The IRI representative said that their interlocutors were reporting that National Assembly members were subject to tremendous pressure, including bribes and intimidation to approve a third term. Despite the President's efforts to guarantee a favorable outcome in the National Assembly, there was a consensus that currently there was not the two thirds majority needed in the lower or upper chambers (ref A). However, they all agreed this could change through increased efforts to coerce, bribe and intimidate in order to get the necessary votes.

[1](#)5. (U) The battle over the constitutional changes will begin in earnest at the end of March. It is unlikely, according to the IFES director, that the National Assembly will pass the Electoral Reform Bill until the third term issue is settled. Until then, all election preparation has ground to a halt, although INEC says it will begin the "revalidation" process of the 55 million people on the discredited 2003 electoral register after the census is complete. INEC has promised, but failed to start this process in December 05 and January 06 (ref B).

6 (C) More troubling, according to the IFES director, is continued insistence on the use of an electronic voting system (EVS). In mid-March, the Senate removed language authorizing use of the EVS, but INEC's Director, Maruice Iwu, says he has the authority to unilaterally decide on the voting system. The IFES director noted that Iwu's position was legally questionable, and that his efforts to keep the EVS issue alive were likely driven by the opportunity for graft as INEC had budgeted USD 157 million for the purchase of equipment (ref C).

7 (C) The uncertainty only exacerbated the lack of logistical and technical preparation for elections. The discussion of moving the elections forward to November 2006, being floated by people close to the President, was technically not feasible, the IFES director said, but further fed into the perception that the electoral process and ultimately the elections would not be credible. Although INEC has received its initial tranche of funding for the year, money remains an issue. In order to complete the necessary preparations and given the logistical, legal and technical hurdles, credible elections would not be possible before

¶2007. He predicted the election would ultimately be conducted using paper ballots and boxes.

¶8. (U) The NDI representative reported that preparations for a high level pre-electoral assessment were moving forward. NDI was finalizing the team which would come out to Nigeria in late April to take a close look at the pre-electoral environment and preparation for the 2007 elections. There was discussion about finding the right balance of nationalities among participants, taking into account the need for strong, but selective African representation.

¶9. (C) Given the lack of preparation and credibility surrounding the elections, there was a consensus among the representatives of the democracy groups that they would need to readjust their strategy if the negative trends continue. If it is clear that, in fact, credible elections are not possible given the political environment and lack of preparation, the representatives all agreed about the need to disassociate themselves from the non-credible electoral process. The window for making this decision is fast approaching, they concluded.

10 (C) Comment: The third term issue is a dark cloud hanging over the electoral process. With the outcome of the President's effort to ensure a third term effort still weeks, if not months away, the important technical preparations have been subsumed by the overall political uncertainty. The lack political space, coupled with a lack of technical preparation has severely dented the overall credibility of the electoral process. There is a growing sense among Nigerians, and U.S. democracy groups that if the constitutional amendment process is rigged, then the electoral process and, ultimately, the elections will also be rigged. These negative trends do not bode well for the American democracy groups in their efforts to help make the Nigerian 2007 elections freer and fairer than those in 2003.

CAMPBELL